

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

31185-039  
(Inmate Number)

Dorian Trevor Sykes  
(Name of Plaintiff)

PO Box 1000  
(Address of Plaintiff)

Lewisburg, PA 17837

3:11-CV-1158  
(Case Number)

COMPLAINT

vs.

- 1) Warden B.A. Bledsoe  
2) SJS Lt. Heath  
3) SJS Lt. Benfer  
(Names of Defendants) 4) Federal Bureau of Prisons

FILED  
WILLIAMSPORT, PA  
JUN 17 2011  
MARY E. D'ANDREA, CLERK  
Per Deputy Clerk

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS  
X 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

I have filed previous lawsuits, but don't have  
caption numbers.

\* I am bringing this suit because my life  
is in imminent danger!

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

X Yes      No

- B. Have you filed a grievance concerning the facts relating to this complaint?

X Yes      No See "Exhibit U" attached

If your answer is no, explain why not \_\_\_\_\_

- C. Is the grievance process completed? X Yes      No As of April 28, 2011  
Central Office Appeal, see remedy ID# 626912-A1

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant Brian A. Bledsoe is employed  
as Warden at USP - Lewisburg
- B. Additional defendants SIS Lt. Heath @ USP Lewisburg  
SIS Lt. Benfer @ USP - Lewisburg  
Federal Bureau of Prisons, Washington, D.C.

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. My Eighth Amendment rights are being violated  
by Warden Bledsoe, SIS Lt. Heath, SIS Lt. Benfer  
and the Federal Bureau of Prisons, as they  
are all deliberate indifferent to my rights to be free  
from cruel & unusual punishment, and failure to  
protect me against prisoner violence, assault and  
extortion without reason.

Specifically, I am incarcerated under conditions  
posing an excessive and continuous risk of  
harm, as it is well-documented within my inmate  
central file that I belong to an identifiable  
inmate sub-class: (inmate-informant,) whose being  
singled out for prisoner violence.

Attachment - statement of claim

1.) My history as being an inmate informant while confined @ USP - Florence, Colorado has been inevitably discovered by the entire inmate population here @ SMU - Lewisburg where I am currently confined. Several inmates who were once in USP - Florence with me in 2008, and who knows my history of being an informant "snitch" is spreading the word to other inmates how I was caught talking on the phone to SIS staff while in Florence, and helped staff bust up a heroin ring surrounding mid-west inmates, upon information and belief. (see Exhibits N, O, & P)

Since my placement in SMU - Lewisburg these violent inmates have used my informant history as a means to extort me, sexually assault and further threats to my family if I cease in sending monies to their inmate accounts.

[I provided each defendant with declaration under 28 U.S.C.] see exhibit V

2.) Lt. Heath, forced me to double-cell with inmate Norman Shelton, an inmate whom she (Heath) personally knows to have a long history of predatory assaultive behavior against staff and other prisoner(s). I pleaded with Lt. Heath during an interview regarding the extortion not to cell me with Shelton because I advised her that we were not compatible in light of my history of being an informant, and Shelton being violent and very assaultive. I, along with my mother, Leslie Sykes, and Ms. Jennifer Tobin, staff attorney @ Pennsylvania Prisoners Project - we all provided Lt. Heath with verified western union receipts, money orders, threatening letters from inmates directing where to send monies, and advocacy letters from Ms. Tobin putting Heath on notice, and requesting protective custody for myself.

Attachment

## statement of claim

- With all the money orders, western union receipts which were deposited into these inmates accounts, by my mother - Lt. Heath still refused to belief I was being extorted. She attributed it to a theory of gambling debts. [I provided Heath with Declaration under 28 U.S.C.] see exhibit 20
- 3.) I was told by Lt. Heath that I had two choices, to "Either cell up with Shelton, or put in restraints for refusing a cell partner." [see exhibit P]
- 4.) After being forced to cell with Shelton, on March 13, 2011 I was sexually assaulted for the first time by Shelton, he forced me to perform oral sex on him. He continued to do so until I was finally removed from the cell with him on April 29, 2011. I was only removed because I sent an alarming letter to the clerk of the court in Wiltransport on April 26, 2011 - detailing the sexual assaults which lasted over a month. The clerk gave my letter to the local F.B.I. who came to the institution to interview me. It was then, and only then was I removed from the cell with Shelton.
- 5.) Prior, I had written request to SIS Lt. Heath and my mother sent several letters to Warden Bledsoe detailing the on-going assault. I was interviewed by SIS Lt. Benter, where he told me, "stop snitching and learn how to fight because this is prison. You either going to do one or two things. And that's fuck or fight cause I'm not moving you out of the cell with Shelton." I was then placed back into the cell with Shelton where the assault continued --- until April 29, 2011.

Although I have been removed from the cell with Shelton, staff & Warden Bledsoe, SIS. Lt. Heath or Lt. Benter

## Statement of Claim

have not taken reasonable measures to prevent future assaults on my person, or free me from being extort-  
ed; [Shelton sexually assaulted me because he called me "snitch's."]

6.) I am currently being forced to cell with inmate Eugene Washington, another inmate whom Lt. Heath & Lt. Benfer knows to have a long history of predatory assaultive behavior against staff and other prisoners. Washington just recently assaulted his previous cellmate while he was handcuffed, seriously injuring him. Washington has a life sentence and has been incarcerated for 44 yrs. He's currently taking preferred food items off my tray and has violent outburst where he'll haul off and slap me, calling me a snitch. He says things like, "It's because of rats like you that I'm serving life!" On some days he won't allow me to eat anything. Staff working the block, Unit Manager Brewer tells me after I secretly ask to move and explain in detail why, he says "we don't have anywhere else to put you."

7.) I have again notified SJS Lt. Heath, Lt. Benfer and Warden Bledsoe via institutional mail and administrative remedies, advising them about my current living situation and requested to be segregated in Protective Custody. I was only to be advised by Lt. Benfer that, "Lewisburg does not have Protective Custody." [I provided each named defendant with a sworn Declaration under 28 U.S.C. 1746 detailing the above on 5-18-11.]

8.) On May 8, 2011, inmate John Anthony Cole sent a threatening letter to my mother's home address, threatening to have his notorious "Crips" gang kill me if I don't arrange to have \$800+ something dollars sent to his inmate account. He threatens to send all his Crips letters

## Statement of Claim

throughout the federal system to do me harm, and that I will not be able to ever co-exist in another prison in the future. Cole attempts of extortion stems from my "snitch" label. My mother, Leslie Sykes, faxed Warden Bledsoe and SIS Lt. Heath copies of inmate Cole's letter, along with the envelope showing the postmark and date, proving that Cole in fact mailed the letter. See "Exhibit M" My mother requested that I be placed into protective custody to ensure my safety, only to be ignored by the defendants. [I provided defendants with Declaration under 28 U.S.C. 1746 on 5-18-11]

9.) Upon information and belief, inmate Norman Shelton has also been interviewed by the F.B.I. on April 29, 2011 where he was advised of the sexual assault against my persons. Following this interview, Shelton immediately began telling the entire inmate population that I snitched on him, and that the F.B.I. had just interviewed us both. On May 1, 2011 Shelton, while housed in D-Block unit yelled across the window into B-Block where I was housed telling inmates that I was a "Rat" and to kill me on sight!

10.) SIS Lt. Benfer conducted these interviews, along with the F.B.I. - Lt. Benfer has done nothing to abate the furthering of a "snitch" label being put on me, by informing inmate Shelton of my allegations. I have notified Warden Bledsoe, Lt. Heath and Lt. Benfer about Shelton campaigning me as a snitch, and requested protective custody - to no avail.

11.) In conclusion, Lt. Heath, Lt. Benfer and Warden Bledsoe have all willingly, knowingly, and intentionally refused to at

least acknowledge that yes, plaintiff has a documented history as an inmate informant while confined at USP-Florence, which was discovered by other inmates, thus leading to my placement into protective custody. Also, defendants are to acknowledge the fact of inmates who were also confined at USP-Florence when plaintiff was discovered as informant, that many of these inmates are now here @ SMU Lewisburg. Each named defendant is further **ORDERED** to acknowledge that SMU Lewisburg facility has an extensive history of widespread, pervasive inmate on inmate violence, thus exposing plaintiff to an excessive risk of continuous harm - due to history of being informant. Plaintiff faces such risk for reasons personal to him, and because all inmates in his situation face such risk.

12.) Upon information and belief, "Lewisburg does not have Protective Custody," says SIS Lt. Bentler. SMU-Lewisburg lacks a designated segregation unit; housing for those inmates in plaintiff's situation in dire need of protective custody. Defendants are willingly violating the Eighth Amendment, Failure to Protect within reason - because the defendants have concisely made the decision to operate the violent SMU-Program absent of segregation unit, which has been a known designation for protective custody. The defendants have demonstrated a clear inability to protect plaintiff's safety as an informant, in the widespread and pervasive existence of prisoner violence, targeting inmate sub-classes: "snitches"

28 U.S.C. 1746

I declare under penalty of perjury that the foregoing is true & correct.

Dated: May 28, 2011

-7-

Dorian T. Lykes

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

- Wherefore, plaintiff respectfully prays that this court enter judgment granting plaintiffs:  
Preliminary Injunction and —  
"TRO" temporary restraining order, as this is an emergency situation and plaintiff's life is in imminent danger! Plaintiff seeks immediate help to prevent an ongoing, illegal practice by the defendants, specifically to stop acting deliberately indifferent to my conditions of confinement: admit me into protective custody immediately and to remain in such throughout the litigation of this complaint. This means to be single celled and to receive recreation alone. (See Attachment)

Signed this 28<sup>th</sup> day of May, 2011.

Dorian T. Sykes  
(Signature of Plaintiff)

Title 28 U.S.C. 1746

I declare under penalty of perjury that the foregoing is true and correct.

— see attachment  
for VERIFICATION

May 28<sup>th</sup>, 2011  
(Date)

Dorian T. Sykes  
(Signature of Plaintiff)



Attachment - Relief

2.) Permanent Injunction, I prayfully ask this honorable court to **ORDER** defendants to acknowledge plaintiff's conditions of confinement; him belonging to an identifiable inmate sub-class: "Snitch". Defendants are to acknowledge this by designating plaintiff to an appropriate facility, where prisoner violence is not pervasive, and inmates who belong to inmate sub-classes are not at excessive risk of harm. These facilities are to exclude all United States Penitentiaries and SMU - Programs. [Where plaintiff's custody level may be of concern, the defendants are **ORDERED** to designate and remain plaintiff at one of the Federal Bureau of Prisons Administrative facilities, or admit him into State Placement.] Plaintiff further asks court to **ORDER** the named defendants not to transfer him until the resolution of this case, as the issues raised in complaint are ongoing and "capable of repetition" if defendants were to transfer plaintiff to another United States Penitentiary, and would "evade review". Suing in defendant's "Official Capacity"

3.) Compensatory Damages, For the sexual assault suffered by plaintiff, I prayfully move this court for damages in the amount \$100,000, jointly. Suing in defendant's "individual capacity" Plaintiff, will however, dismiss Compensatory damages if defendants agree to a settlement (Permanent Injunction), and agrees to designate and remain plaintiff in an appropriate facility where he may co-exist with other inmates, less prisoner violence on identifiable inmate sub-classes.

[See next page]

Attachment - Relief

4.) Permanent Injunction, I <sup>suing in "Official Capacity"</sup> prayfully ask this honorable court to **ORDER** defendants to put separations between myself, Dorian Sykes, Plaintiff and those inmates named with this complaint and supporting declarations, as these inmates have either extorted, assaulted, or threatened to assault plaintiff. I further ask this court to **ORDER** separations be placed on my-self and EACH named inmate affiliates; gangs & groups. List of inmates:

Norman Shelton - Affiliates: Muslims

Eugene Washington - Affiliates: Maryland inmates

John Anthony Cole - Affiliates: "Crips"

Molina # 56750-054 - Affiliates: "Bloods"

Harraza # 11570-021 - Affiliates: Florida inmates

Lazenby # 18215-016 - Affiliates: D.C. inmates

Mevens # 35878-180 - Affiliates: Crips / Baltimore / Muslims

Mims # 13376-014 - Affiliates: TRI State

Fitch # 12384-050 - Affiliates: TRI State / Muslims

Buchanan # 18964-018 - Affiliates: Dirty White Boys

Harrison # 39807-060

Hernandez # 75193-004

Logan # 87989-020

Chaney # 17778-058

Johnson # 54165-083

[suing defendant's in their  
"Official Capacity"]

5.) Punitive Damages in the amount of \$50,000 against each named defendant. Plaintiff, will however agree to dismiss punitive damages upon settlement (Injunctive relief) assuring plaintiff's safety concerns. <sup>suing defendant's in their "individual Capacity"</sup>  
[See next page]

Attachment - Relief

6.) Defendants **ORDERED** to establish designated segregation unit for inmates belonging to inmate subclasses, and in need of protective custody. Permanent Injunction

7.) A trial by jury on all issues triable by jury.

8.) Plaintiff's cost in suit.

9.) Any additional relief this court deems just, proper, and equitable.

Dated: May 28, 2011

Respectfully Submitted,

Dorian Trevor Sykes #31185-039

USP - Lewisburg

PO Box 1000

Lewisburg, PA 17837

VERIFICATION

I have read the foregoing Complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under Title 28 U.S.C. 1746 penalty of perjury that the foregoing is true & correct.

Executed at [Lewisburg, PA] on [May 28, 2011]

Dorian T. Sykes

Dorian Trevor Sykes